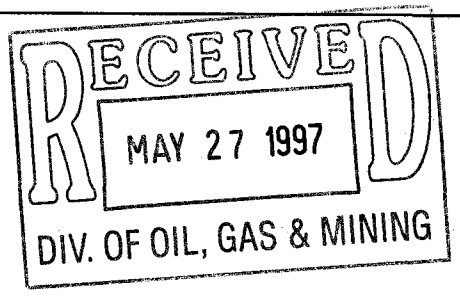
0016

United States Department of Agriculture
Forest Service
Manti-La Sal National Forest
599 West Price River Dr.
Price, Utah 84501
Phone # (801) 637-2817
Fax # (801) 637-4940



File Code: 2820-4

Date: May 21, 1997

Utah Division of Oil, Gas and Mining
ATTN: Daron Haddock
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City UT 84114-5801

Copy Daron, PFT, Mike A.

Subject: Installation of Culvert in Crandall Creek to Expand Surface Facilities, Crandall Canyon Mine, Genwal Resources, Inc., ACT/015/032, Folder #2, Emery County, Utah.

#2

Dear Daron:

On April 8, 1997 representatives of the U.S. Forest Service, Manti-La Sal National Forest (Forest Service); Utah Division of Wildlife Resources (DWR); Bureau of Land Management (BLM); Utah Division of Oil, Gas and Mining (DOGM); and Genwal Resources, Inc. (Genwal) met to discuss the impacts of a proposed culvert on aquatic resources in Crandall Creek. Recent genetics testing has shown that trout found in the stream reach to be culverted are possibly a remnant population of Colorado River cutthroat trout (CCT), a Forest Service and State sensitive species. Currently, the DWR and the Forest Service, along with other agencies, are in the process of finalizing a Conservation Plan aimed at recovering this subspecies, once found throughout the Colorado River drainage, to avoid any future need for Federal listing.

Genwal has proposed to culvert approximately 1,450 feet of Crandall Creek, within a privately held parcel of land, to allow adequate operating room for expanded facilities at the mine. Two factors complicate this proposal. First, the fish in this portion of Crandall Creek are the only known, potentially pure, strain of CCT on the Wasatch Plateau of the Manti-La Sal National Forest and the DWR and the Forest Service are obligated to ensure that no actions are taken that will increase the potential need for listing. Second, these fish have only been found within a relatively small segment of the stream, about 1,500 feet long, that is exactly in the same location as the proposed culvert installation. Unfortunately, Crandall Canyon is steep and narrow, and Genwal has few, if any, options of reducing the length of the culvert and size of the impacted area while also meeting their expanded facilities needs.

All parties involved in this project have worked together to find an appropriate solution to this situation. Agreement was reached at the April 8th meeting to a number of mitigation measures that would enhance recovery of CCT on the Manti-La Sal National Forest and enhance stream habitat elsewhere for habitat lost under

the culvert while allowing Genwal to proceed with their expansion plans. These proposed mitigation measures are as follows:

Mitigation for impacts to the suspected CCT population:

1. Require Genwal to delay construction until after cutthroat can be moved to a secure and suitable, temporary location. All fish will be removed from the reach of Crandall Creek with the suspected CCT population. Adult fish moved will be individually marked and tested so that only pure CCT can be used as brood stock for reintroductions. Genwal will fund the DWR to do this work at a cost of $5,000.

2. Necessary NEPA and work to enhance stream habitat above the Forest boundary on Crandall Creek will be completed to increase pools and resting habitat. This work is expected to allow continued existence of a small population of cutthroat in this area. Genwal will fund the Forest Service to do this work at a cost of $25,000. After enhancement work and genetics testing are completed, it is anticipated that adults or their offspring, or CCT from another source, will be released in the creek above the culvert.

3. The DWR will complete genetic analysis, surveying other populations, and implement other items in the CCT Conservation Agreement with $15,000 in funds provided to them by Genwal.

4. The Forest Service and the DWR will work to identify and agree on another site appropriate for permanent CCT establishment on the Forest. Once a site is agreed upon, site preparation work and eventual release will follow. This work may include fish population surveys and habitat suitability analyses, construction of a barrier to prevent other fish species from entry into the drainage, multiple rotenone treatments to remove resident fish populations, habitat enhancement and protection measures (e.g., fencing, riparian planting, bank stabilization, etc.), and any necessary NEPA work. Genwal will fund the DWR and the Forest Service to complete this work at a cost of $105,000. Payment will be made to the DWR for deposit into an account requiring approval by both the DWR and the Forest Service for any payment.

5. The Forest Service will conduct analysis of high sediment loads apparently originating from headwater portions of Crandall Canyon and develop remedial measures as appropriate. Genwal will fund the Forest Service to do this work as a cost of $5,000.

6. The DWR will contact the State Institutional Trust Lands Administration to discuss analysis of their lands in headwater portions of Crandall Canyon to determine sources of apparent sedimentation to the creek, conduct analysis as requested, and discuss appropriate remedial measures. Genwal will fund DWR to do this at a cost of $5,000.

Mitigation for the loss of stream and spawning habitat and potential effects of the mine on water quality:

7. Stream and rangeland improvements will be made in Upper Scad Valley to improve stream habitat conditions and reduce impacts on Scad Valley Creek.

These include: eliminating a sheep corral located in a wet meadow along the stream and replacing it with two or three new corrals built on upland locations to improve livestock distribution, relocation of the sheepherder's camp and obliteration of the road and ford, develop and gravel roads to access new facilities, and institution of additional livestock management techniques to protect the riparian area. A toilet will be constructed in Huntington Canyon to enhance water quality in Huntington Creek. Genwall will fund the Forest Service to do this work at a cost of $55,000. Monitoring for effectiveness of this work will be conducted by the DWR and the Forest Service.

We appreciate the opportunity to comment on this project. If these proposed mitigation measures are imposed, we feel that both coal production and fisheries protection goals can be reasonably expected to be achieved.

Our comments on the revised Mining and Reclamation Plan for the Crandall Canyon Mine are attached. We are unable to consent to the revision until our comments have been addressed and we have reviewed Genwal's revised proposal.

Sincerely,

for
JANETTE S. KAISER
Forest Supervisor

Attachment

cc:
Genwal Resources, Inc.
USDI-BLM, Price River Resource Area (George Tetrault)
USDI-BLM, Utah State Office (Alan Rabinoff)

ATTACHMENT

The following are comments from the Manti-La Sal National Forest on the Mining and Reclamation Plan revisions for Genwal's Crandall Canyon Mine.

Introduction, page 2.

The statement "The Crandall Canyon Mine should not have any adverse effects on surface or ground water in the permit area nor adjacent areas" is not correct. Crandall Creek and Huntington Creek have already been impacted by adding sediment, road salt and traction material, and coal to these drainages. The proposed culvert and additional surface facilities will potentially add to these impacts. The anticipated effects of mining have been discussed in the Environmental Assessments prepared for the Crandall Canyon and Mill Fork lease tracts.

Introduction, page 3.

The discussion of mining impacts on wildlife should include potential impacts to fish and aquatic life.

Section 2.42, Soil Redistribution, page 2-8.

It is not acceptable to spray sewage sludge on reclaimed areas to promote microbial activity. Any sludge that would contain microbes would also contain fecal coliform. Fecal coliform levels are already high in Huntington Creek and of concern to both the Forest Service and downstream water users. Sewage sludge also often contains metals, oils, and other contaminants. Use of sewage sludge could adversely affect waters on the National Forest.

Section 3.22.1, Protection and Enhancement of Fish and Wildlife, page 3-5.

There should be a discussion of the suspected population of Colorado cutthroat trout, a sensitive species designated by both the State of Utah and the USFS.

Section 3.58, Protection of Fish, Wildlife, and Related Environmental Values, page 3-27.

The aquatic environment in Crandall and Huntington Creeks have been impacted through the use of salt and traction material along the access road. The construction of the culvert would remove a section of aquatic habitat. These factors should be mentioned in Section 3.58.

Section 5.26, Mine Facilities, page 5-22.

The description of the design features to minimize the spread of coal fines and dust must be corrected and expanded.

1. The proposed coal pile is not located in a "bowl-like topographic containment." While the new road extension and the hillside provide containment on the north and south, the pad slopes down to the east (see Plate 5-3). If Genwal intends to locate the coal pile in a depression, they must modify the pad.

2. The location of the Jersey Barriers used for coal pile containment must be shown on Plate 5-3. They should be used where ever the coal

would not be contained by other features, such as the hillside and the new road extension.

3. The new truck stacking lane must be isolated from other traffic on Forest Development Road 50248 by some type of physical barrier.

Section 5.26, Mines Facilities, page 5-23, sixth paragraph.

The containment area for the oil and fuel storage should be designed to contain the volume of the largest tank plus storm water. A spill at this site could have serious impacts to Crandall and Huntington Creeks.

Section 5.42.20, Final Surface Configuration, page 5-37.

The surface must be restored to "the approximate original contour," not just "compatible with natural surroundings."

Section 5.42.60, Roads, page 5-39.

All asphalt must be removed from the road, including the 14 foot running surface left on the reclaimed road. The reclaimed road will have only a gravel surface.

Now that Genwal owns all the fee land crossed by the Forest Development Road, there should be no further delays in preparing and issuing a road right-of-way easement deed to the Forest Service to protect the public's right of access to the trailhead in Crandall Canyon.

Section 7.31.3, Acid- and Toxic-Forming Materials, second paragraph, page 7-38.

Genwal states that any acid or toxic materials buried on site will be placed beneath a minimum of 4' of suitable materials. The Forest Service will not consent to disposal of such materials on the forest.

Appendix 7-4, Sedimentation and Drainage Control Plan.

1. Introduction, page 2.
We feel the design of the main canyon culvert is sized adequately to pass the runoff which can reasonably be expected to occur during the life of the mine. However, the other culverts and ditches have been designed for a 10 year - 6 hour precipitation event and the sediment pond has been designed for a 10 year - 24 hour event. We realize that these are the minimum requirements prescribed by the Surface Mining Control and Reclamation Act (SMCRA) and the Utah Division of Oil, Gas and Mining (UDOGM), but we feel that Genwal should reevaluate these design criteria based on the current expected mine life of 40 years. The statistical probability is that these design criteria would be exceeded several times during the life of the mine; we prefer the risk of capacity exceedence not be greater than 15%.

2.13, Main Canyon Culvert - Outlet Structure
The energy dissipators at the outlet have been downgraded from a concrete dissipator to a gabion dissipator to a rip-rap channel without adequate support data. The currently proposed energy dissipator (rip-rap) at the outlet of the culvert is inadequate for the expected exit velocity of 23.4 feet/second. Rip-rap with d_{50}=2.0 feet will be displaced both on the sides and bottom of the outlet channel by this velocity. An energy

dissipator rip-rap basin would have to provide additional depth for a design scour hole, have an adequate mechanical (rock) filter to prevent displacement of fines, and have rip-rap sized for the bottom and sides that would not be moved by the design velocities at the outlet.